

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>A. DAVID SYDNEY and PATRICIA</b>	:	<b>CIVIL ACTION</b>
<b>SYDNEY</b>	:	
	:	<b>No. 12-1897</b>
<b>v.</b>	:	
	:	
<b>PACIFIC INDEMNITY COMPANY</b>	:	
	:	

**ORDER**

AND NOW, this 1st day of August, 2012, upon consideration of the Pacific Motion to Dismiss or, in the alternative, Motion for Summary Judgment of April 16, 2012, pursuant to Federal Rules of Civil Procedure 12(b)(6) or Rule 56 (paper no. 3), and the replies and responses thereto (papers no. 6, 11, 13), the court ruling on the matter as a Motion to Dismiss, for the reasons in the attached memorandum, it is **ORDERED** that:

The Pacific Motion to Dismiss (paper no. 3) is **GRANTED**.

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/s/ Norma L. Shapiro

J.